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November 11, 2008

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 6097

Dear Mr. Jordan:

This letter responds to your letter dated October 21, 2008, which followed a complaint filed by counsel for the Virginia Foxx campaign on October 15, 2008. Virginia Foxx is the Republican candidate for Congress in the 5th District of North Carolina.

Enclosed please find a copy of a letter delivered to your office from John C. Rhineberger, Treasurer, Roy Carter for Congress, dated October 26, 2008. I believe this letter answered any concerns you may have. However, please feel free to contact me with any additional questions or concerns.

Very truly yours,

BLANCO TACKABERY & MATAMOROS, P.A.

Zoë Gamble Hanes

ZGH/sjs
Enclosure

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COMMISSION
OFFICE OF GENERAL
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**FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL**

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**John C. Rhineberger, Treasurer
Roy Carter for Congress
260 Severt Road
PO Box 166, Glendale Springs, NC 28629**

**1064 Baja Street
Laguna Beach, CA 92651**

October 26, 2008

**Thomasena Duncan, Esquire
General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463**

Re: Complaint against Roy Carter for Congress NC05 exceeding contribution limits

**Re: MUR 6097 dated October 15, 2008
Sent October 21, 2008
Received October 24, 2008
Responded October 28, 2008**

Dear Ms. Duncan:

Please find enclosed several exhibits and a detail explanation regarding the charge levied against Roy Carter for Congress. With all due respect there has been no violation, as you will see with the enclosed paper trail and details regarding the claim of contributions over the limit for Mr. Joseph "T-Bone" Burnett.

Please understand it has never been the intent of this office to be dishonest or intentionally create errors and omissions. I have made every entry with careful and diligent responsibility. There are times with this voluminous paperwork and the location of my office here in California there may be a possibility of an unintentional miscommunication with documents. To date we have only had one item that was inadvertently overlooked. I do not take this responsibility of Treasurer lightly and spend endless hours of data entry, checks and balances, and several phone calls to our contact at the FEC in Washington to be certain we are in total compliance. I thank you for the opportunity to clear up this matter.

The campaign intended to have a fundraising event in Asheville, NC for Roy on June 14, 2008. Invitations were sent out by Sandy Rhineberger and myself, which materials, envelopes, and stamps were given in-kind on 5/19/2008 for the amount \$373.19. We had two couples that were very disappointed the event was cancelled. Both offered to contribute if they could still acquire tickets. I granted that request.

- Invitations sent out (Exhibit 1)
- There was virtually no response, the event was cancelled
- I purchased ten tickets for the event on my credit card (Exhibit 2 A through F)
- They were not donated by T-Bone

- The tickets were used as follows since there was no event:
 - Roy Carter purchased 2 tickets for personal use and paid me (Exhibit 4)
 - Andrea & Wiley Gimlin purchased 2 tickets for cash given to me
 - Brad Vines and his 11 yr old daughter 2 tickets for cash, given to Roy Carter which was included in Roy's personal check to me (Exhibit 4)
 - Mark Clark (Clakr misspelled) contribution \$300.00 6/6/2008 2 tickets
 - Susan McCachren contribution \$250.00 5/29/2008 2 tickets
 - The campaign still owes me for the aforementioned 4 tickets for \$316.00, which I intend to collect soon.

If you need phone numbers for any of these persons I shall be more than glad to acquire them for you.

New for the Guitar Roy Carter purchased from a Pawn Shop in Statesville. The Guitar in question was not donated by T-Bone Burnett. The intent was to auction off the Guitar, since there was no event it was not used and is still in my possession. We are going to keep this since it does not belong to the campaign due to the fact the event was cancelled and Roy Cater purchased the Guitar with his own money.

Please find enclosed the following paper trail on the Guitar Exhibit 3 A to C:

- Exhibit 3 A is the cash receipt for Roy's personal purchase of the Guitar
- Exhibit 3 B is a picture of the band signing the guitar for Roy June 14, 2008
- Exhibit 3C is a picture of the guitar in my possession as of today. I have taken a picture of the guitar and one of the local newspapers with a date of October 22, 2008, which the complainant is sure to recognize. My wife subscribes to this publication.

I believe this should make clear there was no over limit contribution violations. I was well aware of contribution forthcoming by Joseph T-Bone Burnett of \$2300.00, the max for General Election rules, on 6/28/2008. Therefore we were not going to accept, or did accept, any further in-kind or monetary contributions from Mr. Burnett other than his \$2300.00 contribution.

Respectfully,

John Rhineberger

cc: Jeff S. Jordan Supervisory Attorney